

control cash fund is being established under the criminal code and I would like this accountability language to attach in the provision of statute that creates that fund.

PRESIDENT: Any further discussion? Senator Schmit.

SENATOR SCHMIT: Mr. President, I would like to ask a question of Senator Chambers if he would yield please, I'm sorry I wasn't paying attention.

SENATOR CHAMBERS: Yes, that is alright.

SENATOR SCHMIT: Senator Chambers would you outline for me exactly what your amendment is doing at the present time. Again, I apologize. Real...very briefly.

SENATOR CHAMBERS: Senator Schmit, you mean all three of them or....because I just did it for Senator Marvel.

SENATOR SCHMIT: Okay, the first amendment you...

SENATOR CHAMBERS: Okay, I'll very briefly state what they are for.

SENATOR SCHMIT: Okay, fine.

SENATOR CHAMBERS: This relates to the area of false imprisonment and somehow merchants got into the criminal code, some provisions that I don't think belong there. Never-the-less this particular provision that I am dealing with establishes a defense against a criminal charge, a false imprisonment if you apprehend a person in a store. I am saying that all of the conditions laid down in the statute must clearly be present. The way the statute is drafted now you could...you know the implication is there, but by joining all of them with "and" it is very clear....and again reasonable grounds to believe that the person is stealing and so forth that he or she is not restrained for an unreasonable amount of time in an unreasonable manner or that the person is being held for investigation by the police office or whatever. One of those alone should be sufficient to justify holding a person, and I think that the intent is to make all of them but the "and" makes it definite.

SENATOR SCHMIT: Okay, fine. Now how about amendment five?

SENATOR CHAMBERS: The only ones that we are taking up as a unit are one, seven and eight.

SENATOR SCHMIT: Okay, fine thank you. Would you explain seven again.

SENATOR CHAMBERS: It is established for the legislature, a procedure of accountability whereby the State Patrol funds will not be administered in the loose fashion that they have in the past and require a detailed report from the State Patrol regarding expenditures and disbursements so that we will know what money is being spend for what purposes. If there is any specific part of the amendment that you want to ask me a question about I would answer that and tell why it is there. But, in general that is what seven does. It establishes a method of accounting for these funds and their expenditures.